

7. The respondent had granted a paid holiday on 13-5-2009 but only sought adjust to the same against one of the 10 paid holidays given to the workers upon mutual agreement under clause 15 of 12(3) Agreement. Such agreement cannot be termed to be violative of section 135(B) of Representation of People Act, 1951. The respondent is offering two extra days holidays over and above the statutory requirements to enable it offset the same against any unforeseen public holidays declared by the government. 12(3) Settlement has a force of law under the provisions of Industrial Disputes Act. The settlement is mutually agreed between the parties and so it cannot be struck down unless it is violative of any statute. A settlement has always treated as package and benefits and obligations flow from the same. No party can seek enforcement only beneficial clauses and seek rejection of the non-beneficial clauses in a settlement. The settlement is entered into in the presence of responsible government officers and so the parties are bound by each and every terms and conditions of such settlement. Once the petitioner claim 10 days compulsory holidays as per the terms and conditions of the settlement. The subsequent limb of the same clause entitling the management to adjust any polling day from the said 10 contractual holidays cannot be rejected as violative of any provision of law.

8. So, it is very clear that clause 15 of the 12(3) Settlement, dated 10-5-2007 is not violative of any provision of law and so clause 15 of the 12(3) Settlement, dated 10-5-2007 is justified.

9. With regard to the question No. 2 and 3 no objection is raised on the side of the parties with regard to that there is no agitation in this case. The compromise memo was filed on the side of the petitioner and the respondent counsel filed an endorsement that he has no objection in recording it. And now, the petitioner is not pressing the petition. So, the petition is dismissed.

Typed to my dictation, corrected and pronounced by me in the open court on this the 27th day of September, 2013.

S. MARY ANSELAM,
Presiding Officer, Industrial Tribunal.

List of witnesses examined for the petitioner :

- PW.1 — 3-2-2012 — Ezhumalai
PW.2 — 14-8-2013 — G. Ganesan (Assistant Inspector of Labour).

List of witness examined for the respondent :

- RW.1 — 4-4-2012 — M. Arokia Berdila Anand (HR Executive in the Respondent Factory).

List of exhibits marked for the petitioner :

- Ex.A1 — Memorandum of Settlement, dated 10-5-2007
Ex.A2 — Letter sent by the Inspector of Factories to the occupier of the petitioner's company, dated 16-12-2009.
Ex.A3 — Form-V. Approved by the Inspector of Factories, dated 11-12-2008.
Ex.A4 — Circular of the Labour Department, dated 22-4-2009.
Ex.A5 — Letter by the Election Department, Puducherry to the Labour Commissioner of Puducherry, dated 4-5-2009.
Ex.A6 — Order issued by the Labour Commissioner, dated 11-9-2009.
Ex.A7 — Reply by the respondent to the Labour Officer, dated 3-11-2010.
Ex.A8 — Letter by the organiser of the Hindustan Unilever Employees Union, dated 3-9-2009.

List of exhibits marked for the respondent :

- Ex.B1 — Pay slip of the petitioner for the month of October 2011.
Ex.B2 — Form-V issued by the factory Manager respondent for the year 2010, dated 27-1-2010.

List of exhibits marked through PW.2 :

- Ex.X1 — Authorisation letter by Commissioner of Labour to PW. 2, dated 5-7-2013.

S. MARY ANSELAM,
Presiding Officer, Industrial Tribunal.

**GOVERNMENT OF PUDUCHERRY
OFFICE OF THE CHIEF EDUCATIONAL OFFICER**

No. 650/CEO/Exam.Cell/2013-14.

Puducherry, the 27th February 2014.

NOTIFICATION

It is hereby notified that the original S.S.L.C. Mark Certificate under Register Number 476854 of April 2004, in respect of P. Kala, an ex-pupil of Kasthuribai Gandhi Government Girls' Higher Secondary School, Bahour is reported to have been lost and beyond the scope of recovery, it is proposed to issue a duplicate certificate. If the original certificate is to be found by anybody, it should be sent to the Director of Government Examinations, Chennai-6 for cancellation as it is no longer valid.

R. KALAISELVAN,
Chief Educational Officer.

GOVERNMENT OF PUDUCHERRY
OFFICE OF THE CHIEF EDUCATIONAL OFFICER

No. 650/CEO/Exam.Cell/2013-14.

Puducherry, the 27th February 2014.

NOTIFICATION

It is hereby notified that the original S.S.L.C. Mark Certificate under Register Number 485252 of March 2003, in respect of S. Mahalakshmy, an ex-pupil of Pavendar Bharathidasan Government Higher Secondary School, P.S. Palayam is reported to have been lost and beyond the scope of recovery and it is proposed to issue a duplicate certificate. If the original certificate is to be found by anybody, it should be sent to the Director of Government Examinations, Chennai-6 for cancellation as it is no longer valid.

R. KALAISELVAN,
 Chief Educational Officer.

GOVERNMENT OF PUDUCHERRY
OFFICE OF THE CHIEF EDUCATIONAL OFFICER

No. 650/CEO/Exam.Cell/2012-13.

Puducherry, the 3rd March 2014.

NOTIFICATION

It is hereby notified that the original S.S.L.C. Mark Certificate under Register Number 437111 of March 2002, in respect of V. Thilagavathy, an ex-pupil of Vivekananda Higher Secondary School, Sellaperumalpet is reported to have been lost and beyond the scope of recovery and it is proposed to issue a duplicate certificate. If the original certificate is to be found by anybody, it should be sent to the Director of Government Examinations, Chennai-6 for cancellation as it is no longer valid.

R. KALAISELVAN,
 Chief Educational Officer.

GOVERNMENT OF PUDUCHERRY
OFFICE OF THE CHIEF EDUCATIONAL OFFICER

No. 650/CEO/Exam.Cell/2012-13.

Puducherry, the 3rd March 2014.

NOTIFICATION

It is hereby notified that the original S.S.L.C. Mark Certificate under Register Number 1749514 of April 2012, in respect of Arvind @ Selvamanikandan. S, an ex-pupil of Amalorpavam Higher Secondary School, Puducherry is reported to have been lost and beyond the

scope of recovery and it is proposed to issue a duplicate certificate. If the original certificate is to be found by anybody, it should be sent to the Director of Government Examinations, Chennai-6 for cancellation as it is no longer valid.

R. KALAISELVAN,
 Chief Educational Officer.

GOVERNMENT OF PUDUCHERRY
CHIEF SECRETARIAT (EDUCATION)

(G.O. Ms. No. 83, dated, 13th March 2014)

NOTIFICATION

On attaining the age of superannuation, Dr. S. Varalakshmi, Principal, Bharathidasan Government College for Women, Puducherry is admitted into retirement with effect from the afternoon of 31-3-2014.

(By order)

M. GUNASEKARAN,
 Under Secretary to Government (Edn.).

GOVERNMENT OF PUDUCHERRY
CHIEF SECRETARIAT (WORKS)

(G.O. Ms. No. 16, dated 17th March 2014)

NOTIFICATION

On attaining the age of superannuation, Thiru A. Palanichamy, Assistant Engineer, Circle-II, Public Works Department, Puducherry is admitted into retirement with effect from the afternoon of 31-3-2014.

(By order)

N. SUMATHI,
 Joint Secretary to Government (Works).

GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT

(G.O. Rt. No. 48/AIL/Lab./J/2014, dated 18th March 2014)

NOTIFICATION

Whereas, the Government is of the opinion that an industrial dispute has arisen between the employer of M/s. Tea Shop and Fast Food, KTC, Junction, Mahe and Mahe Shops and Establishments Workers Union CITU, Mahe over non-employment of Thiru Yousuf, in respect of the matter mentioned in the Annexure to this order;

And whereas, in the opinion of the Government, it is necessary to refer the said dispute for adjudication;

Now, therefore, by virtue of the authority delegated *vide* G.O. Ms. No. 20/90/Lab./1, dated 23-5-1991 of the Labour Department, Puducherry to exercise the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), it is hereby directed by Secretary to Government (Labour) that the said dispute be referred to the Labour Court, Puducherry for adjudication. The Labour Court, Puducherry shall pass the award within 3 months from the date of issue of reference as stipulated under sub-section (2-A) of section 10 of the Industrial Disputes Act, 1947 and in accordance with rule 10-B of the Industrial Disputes (Central) Rules, 1957. The party raising the dispute shall file a statement of claim complete with relevant documents, list of reliance and witnesses to the Labour Court, Puducherry within 15 days of the receipt of the order of reference and also forward a copy of such statement to each one of the opposite parties involved in the dispute.

ANNEXURE

(a) Whether the dispute raised by Mahe Shops and Establishments Workers Union, CITU, Mahe against M/s. Tea Shop and Fast Food, Mahe over non-employment is justified? If justified, what relief he is entitled to?

(b) To compute the relief, if any, awarded in terms of money, if it can be so computed?

(By order)

S. THAMMU GANAPATHY,
Under Secretary to Government (Labour).

GOVERNMENT OF PUDUCHERRY LABOUR DEPARTMENT

(G.O. Rt. No. 50/AIL/Lab./J/2014, dated 18th March 2014)

NOTIFICATION

Whereas, the Government is of the opinion that an industrial dispute has arisen between the management of M/s. Sunbeam Generators Private Limited, Puducherry and its workman Thiru S. Saravanan, over non-employment in respect of the matter mentioned in the Annexure to this order;

And whereas, in the opinion of the Government, it is necessary to refer the said dispute for adjudication;

Now, therefore, by virtue of the authority delegated *vide* G.O. Ms. No. 20/90/Lab./1, dated 23-5-1991 of the Labour Department, Puducherry to exercise the powers

conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), it is hereby directed by Secretary to Government (Labour) that the said dispute be referred to the Labour Court, Puducherry for adjudication. The Labour Court, Puducherry shall pass the award within 3 months from the date of issue of reference as stipulated under sub-section (2-A) of section 10 of the Industrial Disputes Act, 1947 and in accordance with rule 10-B of the Industrial Disputes (Central) Rules, 1957. The party raising the dispute shall file a statement of claim complete with relevant documents, list of reliance and witnesses to the Labour Court, Puducherry within 15 days of the receipt of the order of reference and also forward a copy of such statement to each one of the opposite parties involved in the dispute.

ANNEXURE

(a) Whether the dispute raised by the petitioner Thiru S. Saravanan, against the management of M/s. Sunbeam Generators Private Limited, Puducherry over non-employment is justified? If justified, what relief he is entitled to?

(b) To compute the relief, if any, awarded in terms of money, if it can be so computed?

(By order)

S. THAMMU GANAPATHY,
Under Secretary to Government (Labour).

GOVERNMENT OF PUDUCHERRY LABOUR DEPARTMENT

(G.O. Rt. No. 51/AIL/Lab./J/2014, dated 18th March 2014)

NOTIFICATION

Whereas, the Government is of the opinion that an industrial dispute has arisen between the management of M/s. Sunbeam Generators Private Limited, Puducherry and its workman Thiru R. Yoga, over non-employment in respect of the matter mentioned in the Annexure to this order;

And whereas, in the opinion of the Government, it is necessary to refer the said dispute for adjudication;

Now, therefore, by virtue of the authority delegated *vide* G.O. Ms. No. 20/90/Lab./1, dated 23-5-1991 of the Labour Department, Puducherry to exercise the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), it is hereby directed by Secretary to Government (Labour) that the said dispute be referred to the Labour Court, Puducherry for adjudication.

The Labour Court, Puducherry shall pass the award within 3 months from the date of issue of reference as stipulated under sub-section (2-A) of section 10 of the Industrial Disputes Act, 1947 and in accordance with rule 10-B of the Industrial Disputes (Central) Rules, 1957. The party raising the dispute shall file a statement of claim complete with relevant documents, list of reliance and witnesses to the Labour Court, Puducherry within 15 days of the receipt of the order of reference and also forward a copy of such statement to each one of the opposite parties involved in the dispute.

ANNEXURE

(a) Whether the dispute raised by the petitioner Thiru R. Yoga, against the management of M/s. Sunbeam Generators Private Limited, Puducherry over non-employment is justified? If justified, what relief he is entitled to?

(b) To compute the relief, if any, awarded in terms of money, if it can be so computed?

(By order)

S. THAMMU GANAPATHY,
Under Secretary to Government (Labour).

GOVERNMENT OF PUDUCHERRY DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT

Puducherry, the 17th March 2014.

TENDER NOTICE

Sealed tenders offering the rate for a lot are invited for the purchase of unserviceable items mentioned in the Annexure in as-is-where-is condition, belonging to the Department of Women and Child Development, Puducherry.

2. The tenders in sealed covers superscribed as "Tender for the purchase of unserviceable items" should be addressed to the Senior Accounts Officer, Department of Women and Child Development, Puducherry-605 013, so as to reach this office on or before 11.00 a.m. on 9-4-2014. The tenders will be opened at 11.30 a.m. on the same day in the presence of tenderers if any.

3. The intending tenderers should deposit an earnest money deposit of ₹ 2,000 (Rupees two thousand only). The earnest money deposit of the unsuccessful tenderers will be refunded after finalising the tender and that of the successful tenderer will be forfeited towards the cost of the items.

4. Further, in the event of successful tenderer failing to pay the cost in full and lift the items at the agreed rate at their own expenses within two days from the date of finalisation of the tender, the earnest money deposit will be forfeited in favour of the Government and the concerned tenderer will lose the rights. If the said last day happens to be a Government holiday, the date will be extended till the next working day on receipt of specific request in writing from the tenderer.

5. The undersigned reserves the right to accept or reject any or all tenders without assigning any reason thereof. Any contravention of the rules of tender notice will result in the forfeiture of the earnest money deposit.

6. The unserviceable items can be inspected at the Anganwadi Centre, Pillaiyar Koil Street, Kottupalayam, Lawspet, Puducherry-8, on 7th and 8th of April 2014 between 10.00 a.m. and 3.00 p.m.

7. No claim about the quantity, quality and the value of the sold goods will be admitted. The removal of items from this office shall be only during working hours.

8. Sales tax will be collected as per existing rates.

ANNEXURE

Sl. No.	Items	Quantity
(1)	(2)	(3)
		No./Nos.
1	Deksa-big	7
2	Deksa-small	13
3	Idly pot	38
4	Jallikarandi	15
5	Dabara-big	27
6	Dabara-small	44
7	Cooker	1
8	Oil-can	10
9	Deep dabara	3
10	Tumbler	30
11	Plate	60
12	Jallikarandi	1
13	Arivalmanai	19
14	Drum	10
15	Measure-½ lit.	5
16	Measure-½ lit.	7
17	Zinc drum-big	19